

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

NJOS, SANDRA)
)
 Plaintiff,)) No. 07 C 50213
)
 vs.)
)
 ROCKFORD HEALTH SYSTEM,)
 an Illinois not-for profit Corporation, and)
 ROCKFORD MEMORIAL HOSPITAL)
 an Illinois not-for-profit Corporation,)
 ROBERT ESCARZA, M.D., RHONDA)
 CASAVANT, R.N.)
)
 Defendants.)
)

**PLAINTIFF'S MOTION TO WITHDRAW, WITHOUT PREJUDICE, HER
MOTION TO DEPOSE SANDRA NJOS TO PRESERVE EVIDENCE PURSUANT
TO RULE 27**

NOW COMES, the Plaintiff, SANDRA NJOS, by and through her attorneys, THE SZYMANSKI KOROLL LITIGATION GROUP, and for her Motion to Withdraw, Without Prejudice, Her Motion to Depose Sandra Njos to Preserve Evidence Pursuant to Rule 27, states as follows:

1. On November 16, 2007, Plaintiff filed her Motion to Depose Sandra Njos pursuant to Rule 27, because of concerns over Ms. Njos continuing health as a result of her terminal illness.

2. This Court gave as a deadline December 17, 2007 to file a physician's report confirming her physical condition and to provide a disclosure consistent with Rule 26(a)(1). However, Ms. Njos has been unable to secure said physician's report, as her physician's

have directed her to obtain prognosis information from her medical records and internet sources. Plaintiff's office does not have sufficient records in their possession on the issue of prognosis.

3. Plaintiff now seeks to withdraw her motion as she is currently unable to fulfill the Court's requirements. In anticipation of filing a future Rule 27 motion, Plaintiff requests that her original motion requesting a deposition be withdrawn without prejudice. Plaintiff also seeks to be excused from the early filing of a Rule 26(a)(1) disclosure and physician's report.

WHEREFORE, the Plaintiff, SANDRA NJOS, respectfully requests that this Court grant her Motion to Withdraw, Without Prejudice, Her Motion to Depose Sandra Njos to Preserve Evidence Pursuant to Rule 27, and any other relief deemed just and proper.

Sandra Njos

BY: s/ Cynthia Szymanski Koroll
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